

**Notice of Allowability**

Application No.

09/838,406

Examiner

John Pezzlo

Applicant(s)

BENAYOUN ET AL.

Art Unit

2662

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 16 May 2005.
2. ☒ The allowed claim(s) is/are 16-29 (renumbered 1-14 respectively).
3. ☒ The drawings filed on 19 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

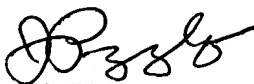
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**JOHN PEZZLO**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***EXAMINER'S AMENDMENT***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jim Boice on 2 June 2005.

The claims have been amended as follows:

1. Claim 1 has been cancelled.
2. Claim 16 – Line 8, inserted after "data packet" -- in a lower layer --.
3. Claim 16 – Line 10, inserted after "data packet" -- in said lower layer --.
4. Claim 16 – Line 14, inserted after "routing the data packet" -- in said lower layer --.
5. Claim 23 – Line 8, inserted after "logic" -- in a lower layer --.
6. Claim 23 – Line 9, inserted after "data packet" -- in said lower layer --.
7. Claim 23 – Line 13, inserted after "routing the data packet" -- in said lower layer --.

***Allowable Subject Matter***

Claims 16-29 are allowable over the prior art of record.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: Applicants have claimed the following uniquely distinct features in the instant invention, which are not found in the prior art, either singularly or in combination:

1. Regarding claim 16 - A method comprising: defining a routing table for each of a plurality of different transport layer protocols used in data packet transmission, wherein each of the different transport layer protocols is associated with a specific routing table, and wherein the different transport layer protocols are selected from a group that includes a Transmission Control Protocol (TCP) and a User Datagram Protocol (UDP), and wherein each routing table associates one of the different transport layer protocols with a plurality of port numbers, examining a header of a data packet in a lower layer to identify a transport layer protocol and a port number used by the data packet, routing the data packet in said lower layer according to a nodal pathway described by one of the routing tables according to the transport layer protocol and the port number used by the data packet, and in response to none of the routing tables containing a nodal pathway for the transport layer protocol and the port number used by the data packet, routing the data packet in said lower layer via a pre-defined default nodal pathway.
2. Regarding claim 23 - A router comprising: logic for defining a routing table for each of a plurality of different transport layer protocols used in data packet transmission, wherein each of the different transport layer protocols is associated with a specific

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routing table, and wherein the different transport layer protocols are selected from a group that includes a Transmission Control Protocol (TCP) and a User Datagram Protocol (UDP), and wherein each routing table associates one of the different transport layer protocols with a plurality of port numbers, logic in a lower layer for identifying a transport layer protocol and a port number used by a data packet, logic for routing the data packet in said lower layer according to a nodal pathway described by one of the routing tables according to the transport layer protocol and the port number used by the data packet, and logic for, in response to none of the routing tables containing a nodal pathway for the transport layer protocol and the port number used by the data packet, routing the data packet in said lower layer via a pre-defined default nodal pathway.

The closest prior art, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Claims 16-29 being allowable, **Prosecution On The Merits Is Closed** in this application.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Bauman (US 6,046,979) discloses a method and apparatus for controlling the flow of variable length packets through a multiport switch.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

2A15


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500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

2 June 2005



**JOHN PEZZLO**  
**PRIMARY EXAMINER**